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Docket No.: W0537-7005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth P. Weiss  
Serial No: 09/657,357  
Confirmation No: 1625  
Filed: September 7, 2000  
For: METHOD AND APPARATUS FOR ACHIEVING  
SELECTED AUDIO AND OTHER FUNCTIONS  
Examiner: Flanders, Andrew C.  
Art Unit: 2644

**CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being facsimile transmitted to the attention of Examiner Flanders at FAX number (571) 273-8300, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 5, 2006.

  
Jessica M. Foster

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Sir:

In response to the Office Action mailed March 3, 2006, please consider the remarks presented below.

Claims 1-18, 23, 28-30 and 36-40 are pending in this application, with claims 1, 23, 28 and 40 being independent claims. Applicant notes with appreciation that claim 5 has been identified as containing allowable subject matter. No claims have been added, amended or canceled herein. The application as presented is believed to be in condition for allowance.

**Rejections Under 35 U.S.C. §103**

Claims 1-4, 8-18, 23, 28-30 and 36-40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Whitby (UK Patent Application 2 258 201 A) in view of Thomason (U.S. Patent No. 6,018,612). Applicant respectfully traverses the rejection.

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